

## Message Text

UNCLASSIFIED

PAGE 01 TEHRAN 01358 111400Z

47 42

ACTION SCSE-00

INFO OCT-01 NEA-09 ISO-00 L-02 SCA-01 /013 W

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R 111210Z FEB 75

FM AMEMBASSY TEHRAN

TO SECSTATE WASHDC 197

UNCLAS TEHRAN 1358

E.O. 11652: N/A

TAGS: CDES, IR (UPTON, LARRY L)-(NIMTZ, MICHAEL J)

SUBJ: LIABILITY CLAIMS IN TEHRAN AIRPORT DISASTER

REF: NIMTZ: TEHRAN 534 AND PREVIOUS; UPTON: STATE 276785 AND  
PREVIOUS

1. FRENCH AND NORWEGIAN CONSULS HAVE INFORMED CONSOFF THAT HEIRS  
OF FRENCH AND NORWEGIAN NATLS KILLED IN ROOF CAVE-IN AT TEHRAN  
AIRPORT DEC 5 HAVE INQUIRED RE DAMAGE CLAIMS AGST GOI, TEHRAN  
MUNICIPALITY, AIRPORT, ETC FOR WRONGFUL DEATH.

2. FRENCH CONSUL SAYS HE HAS DISCOURAGED SUCH CLAIMS ON GROUNDS  
LOCAL COURTS WOULD NOT GIVE HEIRS JUDGMENT. LOCAL COMMISSION  
DETERMINED THAT CAUSE OF CAVE-IN WAS METAL FATIGUE AND ERRONEOUS  
DECISIONS OF BRITISH AND SWEDISH CONTRACTING FIRM WHO BUILT AIR-  
PORT IN 1950'S, AND NOT NEGLIGENCE IN REMOVING PILLARS IN  
REMODELLING IN 1972-3, NOR FAILURE TO REMOVE HEAVY ACCUMULATION OF  
SNOW. COMMISSION'S OPINION HAS BEEN MET WITH SOME SKEPTICISM.

3. NORWEGIAN CONSUL STILL UNSURE HOW TO PROCEED.

4. AFTER CAVE-IN, EMB WAS CONTACTED BY OFFICIAL OF IMPERIAL SOCIAL  
WELFARE ORG, QUASI-GOVERNMENTAL AGENCY RESPONSIBLE DIRECTLY TO  
EMPRESS AND SHAH. CALL WAS LARGELY COURTESY, TO EXPRESS CONCERN  
AND SYMPATHY OF ROYAL FAMILY, BUT OFFICIAL ALSO INQUIRED WHETHER  
EITHER UPTON OR NIMTZ FAMILIES IN SERIOUS FINANCIAL STRAITS.

5. EMB SHARES FRENCH DOUBT RE EFFICACY HEAD-ON COURT TEST, BUT  
NOTES THAT, SHOULD QUESTION ARISE, APPEAL TO WELFARE ORG MIGHT  
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RPT MIGHT BE FRUITFUL. EMB DOES NOT BELIEVE GOI WOULD WELCOME

COURT TEST ON QUESTION OF RESPONSIBILITY FOR CAVE-IN, AND IN FACT  
MIGHT REACT DEFENSIVELY AND ADVERSELY IF CONFRONTED.  
HELMS

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
**Control Number:** n/a  
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**Draft Date:** 11 FEB 1975  
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**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Authority:** n/a  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
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